

Message Text

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PAGE 01 MANILA 07416 080052Z
ACTION L-03

INFO OCT-01 EA-12 ISO-00 SCS-06 CA-01 CIAE-00 INR-10
NSAE-00 /033 W

-----039468 080059Z /70

R 080034Z MAY 78
FM AMEMBASSY MANILA
TO SECSTATE WASHDC 5372
INFO DEPT JUSTICE WASHDC
USVA WASHDC

UNCLAS MANILA 07416

DEPT JUSTICE FOR FOREIGN CIVIL LITIGATION UNIT

USVA FOR GENERAL COUNSEL

E.O. 11652: N/A
TAGS: ACLAM, CPRS
SUBJECT: CIVIL CASE AGAINST USVA EMPLOYEE, PERALTA VS.
- PRICE ET AL

REF: (A) MANILA 20234 DEC 77 (B) MANILA 2755
- (C) MANILA 7033

1. ON 4 MAY NAMED DEFENDANTS RECEIVED INFORMATION COPIES
OF CERTIORARI PETITION TO BE FILED WITH SUPREME COURT
WHICH PLAINTIFF'S ATTORNEY HAD DISPATCHED BY REGISTERED
MAIL TO VA OFFICE. PETITION ADDS TRIAL JUDGE AS RESPON-
DENT AND PRAYS SUPREME COURT TO SET ASIDE ORDER DISMISSING
ACTION AND REQUIRE A TRIAL ON MERITS.

2. PETITION CONSISTS OF REHASH OF ORIGINAL COMPLAINT
(VA GENERAL COUNSEL HAS COPY) AND STRESSES PERSONAL
RESPONSIBILITY OF INDIVIDUAL DEFENDANTS FOR MALICIOUS
ACTION ARGUING THAT THEY SHOULD NOT BE ALLOWED TO TAKE
REFUGE IN THE SOVEREIGN IMMUNITY OF THE UNITED STATES.
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PETITION DOES NOT ADDRESS VIENNA CONVENTION IMMUNITIES
(REF A). COPIES OF PETITION BEING POUCHED.

3. IT IS HOPED THAT SUPREME COURT WILL SUMMARILY DENY
PETITION FOR LACK OF MERIT BUT THERE IS POSSIBILITY THAT
WE WILL SHORTLY RECEIVE COURT ORDER REQUESTING COMMENT
WITHIN 10 DAYS IN WHICH CASE WE WOULD APPRECIATE DEPART-

MENT'S GUIDANCE. FYI DEFENDANT SOLANO RETIRES FROM VA
TODAY AND IS EXPECTED TO IMMIGRATE TO U.S. NEXT MONTH
END FYI. STULL

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 08 may 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
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From: MANILA
Handling Restrictions: n/a
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Original Handling Restrictions: n/a
Original Previous Classification: n/a
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Page Count: 2
Previous Channel Indicators: n/a
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Reference: 78 MANILA 20234, 78 MANILA 2755
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SAS ID: 2763190
Secure: OPEN
Status: NATIVE
Subject: CIVIL CASE AGAINST USVA EMPLOYEE, PERALTA VS. - PRICE ET AL
TAGS: ACLM, CPRS
To: STATE
Type: TE
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Review Markings:
Sheryl P. Walter
Declassified/Released
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